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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,660	06/16/2000	Eric Teller	1148/015	2830
23861	7590	03/13/2006	EXAMINER	
METZ LEWIS, LLC 11 STANWIX STREET 18TH FLOOR PITTSBURGH, PA 15222			PASS, NATALIE	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/595,660	<b>Applicant(s)</b> TELLER ET AL.	
	<b>Examiner</b> Natalie A. Pass	<b>Art Unit</b> 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 Feb.06 & 21 Feb.06.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 104-127,137-152,161-164,167,171,172 and 175-182 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 104-127,137-152,161-164,167,171,172 and 175-182 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____.  | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### ***Notice to Applicant***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submissions filed on 21 February 2006 and 16 February 2006 have been entered. As the amendment filed 21 February 2006 was to correct and apparently replace the submission filed 16 February 2006, which had not yet been examined, grounds of rejection for the pending claims and response to arguments are presented in the instant application, as set forth in detail below, in reply to the claims and arguments appearing in the amendment filed 21 February 2006.

2. This communication is in response to the Request for Continued Examination and amendment filed 21 February 2006. Claims 1-103, 128-136, 153-160, 165-166, 168-170, 173-174 have been cancelled. Claims 104, 108-111, 113, 116, 118, 121, 122, 124-127, 138, 141, 143, 146, 149, 152, 167, 171-172 have been amended. Claims 175-182 have been newly added. Claims 104-127, 137-152, 161-164, 167, 171-172, 175-182 remain pending.

### ***Claim Rejections - 35 USC § 112***

3. The rejection of claim 174 under the second paragraph of 35 U.S.C. 112 is hereby withdrawn due to the amendment filed on 21 February 2006.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 104-121, 124-127, 137-152, 161-164, 167, 171-172, 175-182 are rejected under 35 U.S.C. 102(e) as being anticipated by Mault, et al., U.S. Patent Number 6, 790, 178.

(A) Claim 104 has been amended to recite the limitations of

- "receiving data related to the life activities of said individual" in line 11;
- "generating individual status information relating to the status of said individual from said life activities data" in lines 15-16; and

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- "wherein said first and second parameters are produced by at least one of said individual's body and the environment adjacent said individual's body" in lines 19-20.

As per newly amended claim 104, Mault teaches a method for assisting an individual to monitor, control and modify certain aspects of the individual's physiological status according to a preset physiological status goal, said individual wearing a wearable physiological monitoring device the method comprising:

establishing said physiological status goal according to certain physiological parameters of said individual (Mault; column 6, line 61 to column 7, line 11);

generating data with said wearable device, said generated data indicative of a first parameter of said individual wearing said wearable physiological monitoring device (Mault; column 5, lines 56-65, column 6, lines 14-29);

generating data indicative of a second parameter of said individual with at least one of said wearable device and a second device (Mault; column 5, lines 56-65, column 6, lines 14-29);

receiving data related to the life activities of said individual (Mault; column 13, lines 40-42, column 20, lines 10-36);

calculating, from said first and second parameters, quantitative status information indicative of the "how the person's performance compares to their goals" (reads on "relative degree of achievement of said individual's performance with relation to said physiological status goal" (Mault; column 6, line 61 to column 7, line 11); Examiner interprets "measure their

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performance” to be a form of “calculating, from said first and second parameters, quantitative status information;”

generating individual status information relating to the status of said individual from said life activities data (Mault; column 12 lines 13-16, column 20, lines 55-67); and

communicating to a recipient said “feedback” (reads on “calculated quantitative status information regarding said individual and said individual status information” (Mault; column 7, lines 23-24),

wherein said first and second parameters are produced by at least one of said individual’s body and the environment adjacent said individual’s body (Mault; column 5, lines 56-65, column 6, lines 14-29, column 12, lines 22-24).

(B) Claim 124 has been amended to recite the limitations of

- "wherein said first and second parameters are produced by at least one of said individual’s body and the environment adjacent said individual’s body" in lines 18-19.

As per newly amended claim 124, Mault teaches a method for assisting an individual to monitor, control and modify certain aspects of the individual's physiological status according to a preset physiological status goal, said individual wearing a wearable physiological monitoring device the method comprising:

establishing said physiological status goal according to certain physiological parameters of said individual (Mault; column 6, line 61 to column 7, line 11);

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generating data with said wearable device, said generated data indicative of a first parameter of said individual wearing said wearable physiological monitoring device (Mault; column 5, lines 56-65, column 6, lines 14-29);

generating data indicative of a second parameter of said individual with at least one of said wearable device and a second device (Mault; column 5, lines 56-65, column 6, lines 14-29);

calculating, directly from said first and second parameters, quantitative status information indicative of the “how the person’s performance compares to their goals” (reads on “the relative degree of achievement of said individual's performance with relation to said physiological status goal” (Mault; column 6, line 61 to column 7, line 11); Examiner interprets “measure their performance” to be a form “of calculating, directly from said first and second parameters, quantitative status information;” and

communicating to a recipient said calculated quantitative status information indicative of a suggested change in said individual’s performance to assist said individual in the achievement of said physiological status goal (Mault; column 6, line 61 to column 7, line 9), Examiner interprets Mault’s teaching of “the software may then prompt the user ... walk or run a certain distance” to be a form of “communicating to a recipient said calculated quantitative status information,”

wherein said first and second parameters are produced by at least one of said individual’s body and the environment adjacent said individual’s body (Mault; column 5, lines 56-65, column 6, lines 14-29, column 12, lines 22-24).

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(C) As per claims 105-108, Mault teaches a method as analyzed and discussed in claim 104 above

wherein said physiological status goal comprises a plurality of categories (Mault; column 6, line 35 to column 7, line 26);

wherein said quantitative status information is determined and provided with respect to each of said categories (Mault; column 6, line 35 to column 7, line 26);

wherein said categories relate to two or more of nutrition or diet, activity level or exercise, mind centering or psychological parameters, sleep, and daily activities (Mault; column 6, line 35 to column 7, line 26, column 13, lines 40-42, column 20, lines 10-36); and

wherein said communicating step comprises providing at least a portion of said quantitative status information in graphical form (Mault; Figure 12, column 7, lines 23-24, column 11, lines 9-11).

(D) As per claims 109-113, 117-118, 125-127, 137-138, 142-143, Mault teaches a method as analyzed and discussed in claims 104 and 124 above

wherein at least two sensors selected from the group consisting of physiological sensors and contextual sensors are in electrical communication with at least one of said wearable device and said second device, said sensors generating said data indicative of a first parameter and said data indicative of a second parameter of said individual (Mault; column 4, lines 48-51, column 6, lines 14-29);



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further comprising generating derived data based on said data indicative of a first parameter and said data indicative of a second parameter of said individual (Mault; column 12, lines 13-24); and

further comprising the additional step of using at least said derived data to determine said quantitative status information (Mault; column 6, line 61 to column 7, line 11, column 12, lines 13-24); Examiner interprets “the PDA stores exercise information received from the pedometer module and calculates various exercise parameters such as calories burned, distance covered, average speed, etc. The PDA may use this information for a variety of purposes, such as feedback to the user” (Mault; column 12, lines 14-19) together with Mault’s teachings of “[t]he person uses a pedometer module ... [...] ... [t]his data is ... [...]... used by the software to determine how the person's performance compares to their goals” (Mault; column 7, lines 1-6) to be a form of “using at least said derived data to determine said quantitative status information;”

said at least two sensors being chosen from the group consisting of respiration sensors, temperature sensors, heat flux sensors, body conductance sensors, body resistance sensors, body potential sensors, brain activity sensors, blood pressure sensors, body impedance sensors, body motion sensors, oxygen consumption sensors, body chemistry sensors, body position sensors, body pressure sensors, light absorption sensors, piezoelectric sensors, electrochemical sensors, strain gauges, and optical sensors (Mault; column 11, lines 52-57, column 17, lines 44-47); and

said at least two sensors being two of a body motion sensor adapted to generate data indicative of motion, a skin conductance sensor adapted to generate data indicative of the resistance of said individual's skin to electric current, a heat flux sensor adapted to generate data

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indicative of heat flow, a body potential sensor adapted to generate data indicative of heart beats or muscle or brain activity of said individual, and a temperature sensor adapted to generate data indicative of a temperature of said individual's skin said data indicative of a first parameter and said data indicative of a second parameter comprising at least two of said data indicative of motion said data indicative of resistance of said individual's skin to electric current, said data indicative of heat flow, said data indicative of heart beats or muscle or brain activity and said data indicative of a temperature of said individual's skin (Mault; column 11, lines 52-57, column 17, lines 44-47).

(E) As per claims 114-116, 119-121, 139-141, 144-148, 150-151, Mault teaches a method as analyzed and discussed in claims 104 and 124 above

wherein said derived data comprises data relating to at least one of activity level, sleep, nutrition, stress level and relaxation level (Mault; column 20, lines 24-25, 30-36);

said at least two sensors being said body motion sensor (Mault; column 11, lines 52-57, column 12, lines 14-16) and said "temperature sensor" (reads on "heat flux sensor") (Mault; column 20, lines 7-11), wherein said derived data and said one or more measured parameters comprises data relating to calories burned and is generated using at least said data indicative of motion and said data indicative of heat flow (Mault; column 12, lines 14-16, column 20, lines 10-11);

said at least two sensors comprising at least one said skin conductance sensor, generating data indicative of the resistance of said individual's skin to electric current (Mault; column 15, lines 52-61);

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said at least two sensors comprising a body motion sensor (Mault; column 11, lines 52-57, column 12, lines 14-16) and skin conductance sensor (Mault; column 15, lines 52-61), wherein said derived data comprises data relating to calories burned, wherein said data relating to calories burned is generated using at least said data indicative of motion and said data indicative of resistance of said individual's skin to electric current (Mault; column 12, lines 14-16, column 15, line 52 to column 16, line 26, column 20, lines 7-11);

said wearable physiological monitoring device being part of an armband (Mault; column 17, lines 55-60); and

said wearable physiological monitoring device being part of a garment (Mault; column 17, lines 55-60).

(F) As per claims 149, 152, 161-164, 167, 171-172 Mault teaches a method as analyzed and discussed in claims 104 and 124 above

said wearable physiological monitoring device having at least two sensors, said at least two sensors being two of a body motion sensor adapted to generate data indicative of motion (Mault; column 11, lines 52-57, column 12, lines 14-16), a skin conductance sensor adapted to generate data indicative of the resistance of said individual's skin to electric current, a heat flux sensor adapted to generate data indicative of heat flow, a body potential sensor adapted to generate data indicative of heart beats or muscle or brain activity of said individual, a temperature sensor adapted to generate data indicative of a temperature of said individual's skin (Mault; column 17, lines 44-47), an impedance sensor adapted to generate data indicative of an impedance of said individual's body, and a pulse rate sensor adapted to generate data indicative

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of a pulse rate of said individual (Mault; column 19, line 62 to column 20, line 7), said physiological monitoring device generating at least two of said data indicative of motion, said data indicative of resistance of said individual's skin to electric current, said data indicative of heat flow, said data indicative of heart beats or muscle or brain activity, said data indicative of a temperature of said individual's skin, said data indicative of impedance, and said data indicative of pulse rate when worn by said individual; said data indicative of a first parameter and said data indicative of a second parameter being generated using said at least two of said data indicative of motion, said data indicative of resistance of said individual's skin to electric current, said data indicative of heat flow, said data indicative of heart beats or muscle or brain activity, said data indicative of a temperature of said individual's skin, said data indicative of impedance, and said data indicative of pulse rate (Mault; column 11, lines 52-57, column 12, lines 14-16, column 17, lines 44-47, column 19, line 62 to column 20, line 7);

said at least two sensors being said body motion sensor (Mault; column 11, lines 52-57, column 12, lines 14-16) and said body potential sensor (Mault; column 6, lines 14-29, column 13, lines 57-63), wherein said derived data comprises data relating to calories burned and is generated using at least said data indicative of motion and said data indicative of heart beats (Mault; column 12, lines 14-16, column 14, lines 50-67, column 20, lines 7-11);

further comprising receiving sensor data from one or more sensor devices, said one or more sensor devices measuring said sensor data from the individual, and using said sensor data in addition to said data indicative of a first parameter and said data indicative of a second parameter to calculate said quantitative status information (Mault; column 6, line 61 to column 7, line 11, column 12 lines 13-24, column 20, lines 55-67); Examiner interprets "the PDA stores

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exercise information received from the pedometer module and calculates various exercise parameters such as calories burned, distance covered, average speed, etc. The PDA may use this information for a variety of purposes, such as feedback to the user” (Mault; column 12, lines 14-19) together with Mault’s teachings of “[t]he person uses a pedometer module ... [...] ... [t]his data is ... [...]... used by the software to determine how the person's performance compares to their goals” (Mault; column 7, lines 1-6) to be a form of “using said sensor data in addition to said data indicative of a first parameter and said data indicative of a second parameter to calculate said quantitative status information;”

further comprising the step of generating “various exercise parameters such as calories burned” (reads on “derived data”) from “exercise information received from the pedometer” (reads on “at least one of said data indicative of a first parameter and said data indicative of a second parameter”) (Mault; column 12, lines 14-19), wherein said quantitative status information indicative of the relative degree of achievement of said individual's performance with relation to said physiological status goal is calculated from at least said derived data; Examiner interprets Mault’s teachings of “[t]he person uses a pedometer module ... [...] ... [t]his data is ... [...]... used by the software to determine how the person's performance compares to their goals” (Mault; column 7, lines 1-6) to be a form of “wherein said quantitative status information indicative of the relative degree of achievement of said individual's performance with relation to said physiological status goal is calculated from at least said derived data.”

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(G) As per newly added claims 175-182, Mault teaches a method as analyzed and discussed in claims 104 and 124 above

wherein said step of calculating, from said first and second parameters, quantitative status information indicative of the “how the person’s performance compares to their goals” (reads on “relative degree of achievement of said individual's performance with relation to said physiological status goal” (Mault; column 6, line 61 to column 7, line 11) further comprises using said life activities data in said calculation (Mault; column 12 lines 13-16, column 20, lines 29-36, 55-67); Examiner interprets “measure their performance” to be a form of “calculating, from said first and second parameters, quantitative status information;”

further comprising the step of receiving data related to said individual’s life activities of (Mault; column 13, lines 40-42, column 20, lines 10-36) and wherein said step of calculating, from said first and second parameters, quantitative status information indicative of the “how the person’s performance compares to their goals” (reads on “relative degree of achievement of said individual's performance with relation to said physiological status goal” (Mault; column 6, line 61 to column 7, line 11) further comprises using said life activities data in said calculation (Mault; column 12 lines 13-16, column 20, lines 29-36, 55-67); Examiner interprets “measure their performance” to be a form of “calculating, from said first and second parameters, quantitative status information;”

further comprising the step of transmitting or commutating said data indicative of said first and second parameters to a “remote server” (reads on “central monitoring unit”), and wherein said step of “analyzing the data received” (reads on “calculating, from said first and second parameters”), quantitative status information indicative of the “how the person’s

performance compares to their goals” (reads on “relative degree of achievement of said individual's performance with relation to said physiological status goal” (Mault; column 6, line 61 to column 7, line 11) is performed by said central monitoring unit (Mault; column 7, lines 13-20); Examiner interprets Mault’s teachings of “[t]he remote server may store and analyze the data received from the PDA and provide feedback based on the information” to teach “is performed by said central monitoring unit” and Examiner interprets Applicant’s recital of “commutating” to mean “transmitting,” and not to mean reversing of mathematical operations or forming a unidirectional current in a motor, standard definitions of this term, which do not appear to fit logically into the context of the claim;

said data indicative of a first parameter and said data indicative of a second parameter comprising at least two of data indicative of resistance of said individual's skin to electric current, data indicative of heat flow of said individual, data indicative said individual’s brain activity, data indicative of a temperature of said individual's skin, data indicative of impedance of said individual, data indicative of said individual’s respiration, data indicative of said individual’s body conductance, data indicative of said individual’s body resistance, data indicative of said individual’s body potential, data indicative of said individual’s blood pressure, data indicative of said individual’s oxygen consumption, data indicative of said individual’s body chemistry sensors, data indicative of said individual’s body position sensors (Mault; column 4, lines 15-21, column 6, lines 14-29, column 19, line 62 to column 20, line 7); and

wherein said life activities are manually entered (Mault; Figure 13, Item 136, column 15, lines 26-27, column 16, lines 19-22).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 122-123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mault, et al., U.S. Patent Number 6, 790, 178 as applied to claim 104 above, and further in view of Brown et al, U.S. Patent Number 5, 913, 310.

(A) As per claims 122-123, Mault teaches a method as analyzed and discussed in claim 104 above.

Mault fails to explicitly disclose a method further comprising the steps of aggregating at least one of said data indicative of a first parameter of said individual, said data indicative of a second parameter of said individual, and said quantitative status information with data collected from a plurality of individuals to create aggregate data; and

further comprising the step of creating reports based on said aggregate data.

However, the above features are well-known in the art, as evidenced by Brown.

In particular, Brown teaches a method further comprising the step of aggregating at least one of said data indicative of a first parameter of said individual, said data indicative of a second parameter of said individual, and said quantitative status information with data collected from a



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plurality of individuals to create aggregate data (Brown; column 26, lines 45-50, column 20, lines 35-45); and

further comprising the step of creating reports based on said aggregate data (Brown; column 20, lines 35-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Mault to include these limitations, as taught by Brown, with the motivations of statistically analyzing the data for use in epidemiological research (Brown; column 20, lines 35-45).

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 104-127, 137-152, 161-164, 167, 171-172, 175-182 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

9. This is a continuation of applicant's earlier Application No. 09/595, 660. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**10. Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks  
Washington D.C. 20231

**or faxed to:** (571) 273-8300.

For formal communications, please mark  
"EXPEDITED PROCEDURE".

For informal or draft communications, please label  
"PROPOSED" or "DRAFT" on the front page of the  
communication and do NOT sign the communication.

After Final communications should be labeled "Box AF."

**11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie A. Pass whose telephone number is (571) 272-6774. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.**

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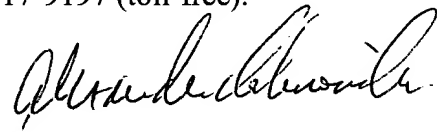
12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Natalie A. Pass

March 4, 2006



**ALEXANDER KALINOWSKI**  
**SUPERVISORY PATENT EXAMINER**